

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF SOUTH CAROLINA  
ANDERSON DIVISION  
AT ADMIRALTY

In the Matter of the Complaint of	)	CIVIL ACTION NO. 8:18-cv-01950-DCC
Mark Schaefer, as Owner of a	)	
1987 Sea Ray 300 Sedan Bridge	)	
Vessel (HIN SERT5335C787) for	)	
Exoneration from or Limitation	)	
of Liability	)	
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ORDER APPROVING STIPULATION FOR VALUE AND FOR COSTS,  
DIRECTING ISSUANCE OF NOTICE AND RESTRAINING SUITS

A Complaint having been filed on July 17, 2018 by Plaintiff, Mark Schaefer, as Owner of a 1987 Sea Ray 300 Sedan Bridge Vessel (HIN SERT5335C787) (the “Vessel”), for Exoneration from or Limitation of Liability pursuant to 46 U.S.C. §§ 30501-30512 and Rule F of the Supplemental Rules for Certain Admiralty and Maritime Claims, for any loss of life, bodily injury, property damage and/or other loss or destruction caused by a fire originating on the Vessel on or about May 14, 2018 on Lake Hartwell in Anderson, South Carolina as is more fully described in Plaintiff’s Complaint for Exoneration from and Limitation of Liability (ECF No. 1) and in Plaintiff’s Amended Complaint filed on October 2, 2018 (ECF No. 17);

Plaintiff having stated sufficiently plausible facts to state a claim for the relief requested;

Plaintiff having further stated that, as a result of the fire which is the subject of this limitation proceeding, the Vessel was heavily damaged and has a salvage value of no more than \$5,000.00, that being, as a consequence, his interest in said vessel, the amount of the limitation fund to be established for the benefit of claimants is Five Thousand Dollars (\$5,000.00); and

Plaintiff having deposited with the Court as security for the benefit of the claimants, a Letter of Undertaking dated July 16, 2018, in the amount of Five Thousand Dollars (\$5,000.00), and for costs, plus interest at the rate of six percent (6%) per annum, executed by Jean Quinn on behalf of GEICO Marine Insurance Company (ECF No. 4);

Now, on motion of Plaintiff, through undersigned counsel,

IT IS ORDERED:

1. The above-described Letter of Undertaking is hereby approved;
2. The Court, upon motion, shall cause due appraisalment of the value of Vessel after the incident, and/or the appropriate amount of the limitation fund, and may thereupon order the said security increased or reduced if it finds the amount thereof insufficient or excessive;
3. A notice shall be issued by the Clerk of this Court on the form filed herein to all persons asserting claims with respect to which the Complaint seeks exoneration or limitation admonishing them to file their respective claims with the Clerk of this Court in writing and to serve on the attorneys for Plaintiff a copy thereof on or before the 4th day of January, 2019, or be barred from bringing such claims, and that if any claimant desires to contest either the right to exoneration from or the right to limitation of liability, he shall file and serve on attorneys for Plaintiff an Answer to the Complaint on or before said date, unless his claim has included an Answer to the Complaint, so designated, or be barred from bringing such action;
4. The aforesaid notice shall be published in the Anderson Independent Mail once a week for four (4) successive weeks prior to the date fixed by the Court for the filing of claims as provided by the aforementioned Rule F;
5. Copies of the notice shall also be mailed in accordance with Rule F;

6. The further prosecution of any and all actions, suits and proceedings already commenced and the commencement or prosecution hereafter of any and all suits, actions or proceedings, of any nature or description whatsoever, in any jurisdiction, and the taking of any steps and the making of any motion in such actions, suits or proceedings against Plaintiff, as aforesaid, the Vessel, or any property of Plaintiff and his underwriters, excepting this action, to recover damages for in respect of any loss of life, bodily injury, property damage and/or other loss or destruction caused by or resulting from the aforementioned allision, occasioned or incurred as a result of the fire originating on the Vessel on or about May 14, 2018, as alleged in the Complaint, be and they hereby are restrained, stayed and enjoined until the hearing and determination of this action; and

7. Service of this Order as a restraining order may be made through the post office by mailing a conformed copy thereof to the persons restrained, or to their respective attorneys or, alternatively, by hand.

s/Donald C. Coggins, Jr.  
UNITED STATES DISTRICT JUDGE

November 14, 2018  
Spartanburg, South Carolina